

UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE

|                                  |   |                      |
|----------------------------------|---|----------------------|
| ERNEST J. GLYNN, <i>et al.</i> , | ) |                      |
|                                  | ) |                      |
| Plaintiffs,                      | ) |                      |
|                                  | ) |                      |
| v.                               | ) | No. 2:19-cv-00176-NT |
|                                  | ) |                      |
| MAINE OXY-ACETLYENE SUPPLY CO.,  | ) |                      |
| <i>et al.</i> ,                  | ) |                      |

**SUPPLEMENTAL DECLARATION  
OF THOMAS L. DOUGLAS, ESQ.**

---

Pursuant to 28 U.S.C. § 1746, Thomas L. Douglas, Esq. declares as follows:

1. My name is Thomas L. Douglas, Esq. I make this supplemental declaration as directed by this Court's *Order on Proposed Settlement and Attorney Fees* dated December 13, 2022 (the "Order") (ECF No. 221). The facts set forth in this Declaration are based upon my personal knowledge and are true.

Status Update Regarding Efforts to Locate Missing Class Members

2. The December 13, 2022 Order directs Class Counsel to continue their efforts to contact the six missing class members or their legal heirs in order to notify them of the settlement, and to provide a status update to the Court on or before January 12, 2023.

3. On December 16, 2022 I spoke by telephone with Kandi Baldinelli of Bear, Delaware, Earl Belanger's natural daughter and heir. During this call, Ms. Baldinelli confirmed her address and identified her brother Stephen Belanger of Buckfield, Maine as the only other heir to Mr. Belanger's estate.

4. On December 19, 2022 undersigned counsel sent a certified letter to Stephen Belanger advising him that he has been identified as the heir of a class member entitled to a portion of the settlement proceeds in this case, along with the approximate amount to which Earl Belanger is entitled.

5. Mr. Belanger and I spoke by telephone on January 5, 2023. During this call, he confirmed his mailing address.

6. Both Ms. Baldinelli and Mr. Belanger have subsequently provided documentation confirming that they are Earl Belanger's natural children and heirs.

7. On December 19, 2022, undersigned counsel sent each of the five remaining class members or their heirs a certified letter advising that they have been identified as class members entitled to a portion of the settlement proceeds in this case, along with the approximate amount to which each class member is entitled.

8. On January 4, 2023 I spoke by telephone with Francisco Garcia of San Jose, California. During this call, I confirmed his mailing address and his identity as a class member.

9. On January 5, 2023 I spoke by telephone with Doris Bernier of Auburn, Maine, the widow of class member Daniel Bernier. During this call, I confirmed her mailing address and Mr. Bernier's identify as a class member. Ms. Bernier subsequently provided documentation confirming that she is Mr. Bernier's widow and heir.

10. On January 12, 2023, I spoke by telephone with Erica Ricker of Lewiston, Maine, Laurence Guimond's only daughter and heir. During this call, I confirmed her mailing address and Mr. Guimond's identity as a class member. Ms.

Ricker subsequently provided documentation confirming that she is Mr. Guimond's natural daughter and heir.

11. On January 12, 2023, I spoke with Phyllis Smith of Bowdoin, Maine, the mother of class member Michael Smith. Prior to this call, we had located Ms. Smith at the same address at which Mr. Smith resides. Ms. Smith confirmed that Mr. Smith had received our certified letter and his identify as a class member.

12. At this point, the only class member for whom we have not confirmed notification of the settlement is Mark Scott, whose last known address is in Bangor, Maine. In addition to our previous efforts to locate Mr. Scott as described above and in our previous filings, we have attempted to contact persons identified as Mr. Scott's potential relatives and at least one person whom we believe is Mr. Scott's former/current roommate. We have also unsuccessfully attempted to reach Mr. Scott by telephone at multiple numbers attributed to him via our efforts to locate him online.

13. Class Counsel's efforts to contact Mr. Scott are ongoing, and will continue *via* the methods specifically referenced in the Settlement Agreement (ECF No. 210.1) and otherwise.

Pursuant to 28 U.S.C. § 1746, I state under penalty of perjury that the information set forth above is true and correct, based upon my personal knowledge, information and belief; and, so far as upon information and belief, I believe the information to be true.

Dated: January 12, 2023

/s/ Thomas L. Douglas